

**Remarks/Arguments:**

Claims 1-22 are pending. Claims 1-22 stand rejected. In this response, applicant has amended claim 1. Accordingly, claims 1-22 are presented for reconsideration.

**Rejections Under 35 U.S.C. § 102**

The Office Action sets forth at page 2, "Claims 1, 5, 6, 21 and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Tanner et al. (U.S. 6,423,224) ..." Applicant respectfully submits that this rejection is overcome by the amendments to the claims and for the reasons set forth below.

Applicant's invention as recited in claim 1 includes features not disclosed or suggested by Tanner, namely:

... a vessel for containing water requiring filtration, said vessel being separate from the replaceable filter cartridge ...

... a vessel for the collection of filtered water, the vessels being connected through the replaceable filter cartridge ...

... means for counting the filtering cycles performed by the replaceable filter cartridge to determine the exhaustion state of the replaceable filter cartridge, the counting means comprising at least one float level detector disposed within one of the vessels and capable of generating at least one counting signal fed to the counting means as a consequence of the corresponding water level being reached within the associated vessel, the counting means being separate from the replaceable filter cartridge. (Emphasis added)

These features are disclosed in applicant's specification, for example, at page 2, line 25 - page 3, line 22 and page 4, lines 3-22 and the accompanying figures. No new matter is added.

According to claim 1, a filtering jug for use with a replaceable filter cartridge includes i) a vessel for containing water requiring filtration, the vessel being separate from the replaceable filter cartridge, and ii) a vessel for collection of filtered water with the vessels being connected through the replaceable filter cartridge. The filtering jug also includes means for counting filtering cycles performed by the replaceable filter cartridge. The counting means comprises at least one float detector disposed within the vessel for containing water requiring filtration or the vessel for collection of filtered water. The counting means is separate from the replaceable filter cartridge.

Tanner is relied upon as "[disclosing] a water treatment device ... having ... a vessel 36 for containing water ... the vessels 36, 102, being connected through the [] cartridge 10, as well as means 20 for counting the filtering cycles preformed by the cartridge 10 ... the counting means 20 include at least one float level detector 25 associated with one of the vessels 36, 102 ..." Applicant respectfully disagrees with the overly broad interpretation of Tanner and points out that "vessel 36" is described as lower escapement of filter cartridge 10 in Tanner rather than a vessel for containing water. Further, Tanner fails to disclose or suggest that the vessel containing water requiring filtration is separate from the replaceable filter cartridge. On the contrary, "vessel 36" is part of filter cartridge assembly 10. In addition, Tanner fails to disclose or suggest that the counting means is separate from the replaceable filter cartridge. Tanner only teaches that counting means 20 is part of filter cartridge assembly 10.

In contrast, applicant's invention as recited in claim 1, requires i) a vessel for containing water requiring filtration, said vessel being separate from the replaceable filter cartridge, ii) a vessel for the collection of filtered water, the vessels being connected through the replaceable filter cartridge, and iii) means for counting the filtering cycles performed by the replaceable filter cartridge to determine the exhaustion state of the replaceable filter cartridge, the counting means comprising at least one float level detector disposed within one of the vessels and capable of generating at least one counting signal fed to the counting means as a consequence of the corresponding water level being reached within the associated vessel, the counting means being separate from the replaceable filter cartridge.

It is because applicant has included the features of i) a vessel for containing water requiring filtration, said vessel being separate from the replaceable filter cartridge, ii) a vessel for the collection of filtered water, the vessels being connected through the replaceable filter cartridge, and iii) means for counting the filtering cycles performed by the replaceable filter cartridge to determine the exhaustion state of the replaceable filter cartridge, the counting means comprising at least one float level detector disposed within one of the vessels and capable of generating at least one counting signal fed to the counting means as a consequence of the corresponding water level being reached within the associated vessel, the counting means being separate from the replaceable filter cartridge that the following advantages are realized. More accurate correlation and measurement of the amount of water admitted into the jug and lower costs associated with the filtering mechanism because the counting means is retained when the filter cartridge is disposed of.

Tanner fails to achieve these advantages because Tanner does not include i) a vessel for containing water requiring filtration, said vessel being separate from the replaceable filter cartridge, ii) a vessel for the collection of filtered water, the vessels being connected through the replaceable filter cartridge, and iii) means for counting the filtering cycles performed by the replaceable filter cartridge to determine the exhaustion state of the replaceable filter cartridge, the counting means comprising at least one float level detector disposed within one of the vessels and capable of generating at least one counting signal fed to the counting means as a consequence of the corresponding water level being reached within the associated vessel, the counting means being separate from the replaceable filter cartridge.

Because Tanner fails to disclose each and every feature of claim 1, applicant respectfully requests that the rejection of claim 1 as being anticipated by Tanner be withdrawn.

Claims 5, 6, 21 and 22 depend upon claim 1 and, thus, are likewise not subject to rejection for at least the reasons set forth above with respect to claim 1.

**Rejections under 35 U.S.C. § 103**

The Office Action sets forth at page 3, "Claims 2-4, 8-11 and 15-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanner ... in view of Girondi (U.S. 2003/0089648)."

The Office Action readily admits that Tanner lacks several features of claims 2-4, 8-11 and 15-19. The Office Action relies upon Girondi, however, for these features. Girondi fails to make up, however, for the deficiencies discussed above with respect to claim 1. Accordingly, because claims 2-4, 8-11 and 15-19 depend upon claim 1, these claims are likewise not subject to rejection for at least the reasons set forth above with respect to claim 1.

The Office Action sets forth at page 5 "Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanner ... in view of Daniels (U.S. 5,645,732)" and "Claims 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tanner ... in view of Girondi ... and further in view of Daniels ..."

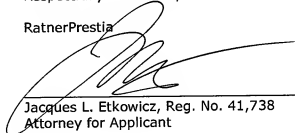
Finally, the Office Action sets forth at page 6 "Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tanner ... in view of Daniels ... and further in view of Girondi ..."

Daniels is relied upon as "[teaching] a filtering arrangement ... having level detectors ... including a float mounted one end of a hinged arm ..." Daniels fails to make up for the deficiencies of Tanner, however, discussed above with respect to claim 1. As discussed above, Girondi fails to make up for the deficiencies of Tanner with respect to claim 1. Accordingly, claims 7, 12-14 and 20 are likewise allowable for at least the reasons set forth above with respect to claim 1.

In view of the amendments and remarks set forth above, applicant submits that the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

RatnerPrestia



A handwritten signature in black ink, appearing to read 'Jacques L. Etkowicz', is written over a horizontal line.

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